

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION LITIGATION

MDL NO. 2492  
Case No. 13-cv-09116  
  
Judge John Z. Lee  
  
Magistrate Judge Brown

**DECLARATION OF HON. WAYNE R. ANDERSEN (RET.)**

I, WAYNE R. ANDERSEN, declares as follows:

1. I am the one of the mediators in this action and a former United States District Court Judge. I submit this declaration regarding the discussions I had with Shauvaughne Desecki, Ryan Parks, Spencer Trautmann, Jessica Miller, Ursula Kunhardt, Brice Sheeder, and Shelby Williams ("Proposed Class Representatives").
2. Each of the Proposed Class Representatives is a current or former NCAA student-athlete who played baseball, softball, volleyball, golf or track and field. Prior to our discussions, the Proposed Class Representatives were provided a copy of the Amended Settlement Agreement ("Settlement") to review and analyze from the perspective of student-athletes who play or played a sport that is not defined as a Contact Sport in the Settlement.
3. At the request of the Court and the parties, I conducted interviews of the Proposed Class Representatives during the week of December 1, 2014. The interviews were detailed, at arm's length, and in good faith.
4. During each individual phone call, I explored whether the Proposed Class Representative had reviewed and understood the Settlement. During each interview, the Proposed Class Representative was given the opportunity to ask, and did ask, questions about the

Settlement. In addition, I explored whether they understood the scope (and limitations) of the benefits provided for in the Settlement, as well as the Release (including the waiver to proceed on a class-wide basis with regard to personal injuries).

5. I then solicited their opinions of the Settlement and its provisions. During our discussions, if the Proposed Class Representative did not raise the issues, I ensured that we discussed their opinion of the Release (including the waiver to proceed on a class-wide basis with regard to personal injuries) and the prospective injunctive relief, including the requirement that qualified medical personnel be present at all Contact Sports games but not at non-Contact Sports games.

6. Based on my discussions with the Proposed Class Representatives, the Proposed Class Representatives have reviewed, understand, and support the proposed Settlement including the limitations and releases contained in the Settlement.

7. I was satisfied throughout the interviews that the Proposed Class Representatives had reviewed the Settlement and understood the benefits and release contained in the Settlement.

8. The Proposed Class Representatives unanimously supported the Settlement because, in their opinions, it represents a comprehensive Settlement.

9. Each Proposed Class Representative believes that the Settlement will provide extraordinary benefits to thousands of current and former NCAA athletes that would not otherwise exist in the absence of the Settlement.

10. The Proposed Class Representatives unanimously concluded that it was not only fair but important for all student-athletes, regardless of which sport they participate in, to have access to the Medical Monitoring Program in the Settlement in exchange for the release and waiver of the right to bring a future personal injury class action.

11. The Proposed Class Representatives also expressed that the prospective injunctive relief is appropriate to provide certain benefits, such as baseline testing, to all NCAA student-athletes in all sports, while balancing the likelihood of concussions with costs with respect to the required presence of medical personnel at games and practices.

12. Accordingly, it is my opinion that the Proposed Class Representatives have had a meaningful opportunity to review and analyze the Settlement and understand the scope of the Settlement, including the Release, as well as the differences in prospective injunctive relief for NCAA student athletes who play Contact Sports and non-Contact Sports. As reflected in my discussions with them, the Proposed Class Representatives fully support the Settlement and the important benefits provided by the Settlement that would not exist in the absence of this litigation. Moreover, each of the Proposed Class Representatives understands the role of a class representative and expressed their desire to participate as a class representative.

I declare that the foregoing is true and correct.

Executed this 11<sup>th</sup> day of December, 2014.

  
WAYNE R. ANDERSEN